

MINUTES

IMPERIAL BEACH CITY COUNCIL REDEVELOPMENT AGENCY PLANNING COMMISSION PUBLIC FINANCING AUTHORITY

JULY 15, 2009

**Council Chambers
825 Imperial Beach Boulevard
Imperial Beach, CA 91932**

REGULAR MEETING – 6:00 P.M.

REGULAR MEETING CALL TO ORDER

MAYOR JANNEY called the Regular Meeting to order at 6:01 p.m.

ROLL CALL

Councilmembers present:	McCoy, King, Rose
Councilmembers absent:	None
Mayor present:	Janney
Mayor Pro Tem present:	Bragg

Staff present:	City Manager Brown; City Attorney Lough; City Clerk Hald
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PLEDGE OF ALLEGIANCE

MAYOR JANNEY led everyone in the Pledge of Allegiance.

AGENDA CHANGES

COUNCILMEMBER MCCOY requested Item No. 2.6 – Marine Life Protection Act (MLPA) Letter be pulled from the Consent Calendar for discussion at the end of the agenda.

MAYOR/COUNCIL REIMBURSEMENT DISCLOSURE/COMMUNITY ANNOUNCEMENTS/ REPORTS ON ASSIGNMENTS AND COMMITTEES

COUNCILMEMBER MCCOY wished everyone a safe and happy Sandcastle weekend; and she spoke about a booklet published by the Sierra Club that lists San Diego County cities with plans that address climate protection.

MAYOR PRO TEM BRAGG wished the City of Imperial Beach a Happy Birthday, invited everyone to the Mayor's Breakfast scheduled for July 17, and reported she, along with Councilmember King, attended the Installation of Officers at the Fleet Reserve.

MAYOR JANNEY announced the Sandcastle event is this weekend and wished everyone a good time.

COMMUNICATIONS FROM CITY STAFF

None.

PUBLIC COMMENT

JUNE ENGEL, Imperial Beach Branch Library Manager, thanked the I.B. Firefighters for leading story time today and she gave an update on the Radio Frequency Identification (RFID) system.

MAYOR JANNEY presented a proclamation to the South County Economic Development Council in recognition of its 20 years of dedicated service to encouraging economic development in the City of Imperial Beach and the entire South Bay region.

ORDINANCES/PRESENTATIONS (1.1)

1.1 RECYCLE ALL-STAR AWARD PRESENTATION. (0270-30)

MAYOR JANNEY presented the Recycle All-Star Award Certificate and used oil-recycling premiums to Amber Hansen.

MARCO TOPETE, of EDCO, presented the \$100.00 check to Ms. Hansen.

CONSENT CALENDAR (2.1 - 2.5 & 2.7)

Revisions to the Memorandum of Understanding were submitted as Last Minute Agenda Information for Item No. 2.4.

MOTION BY MCCOY, SECOND BY BRAGG, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 THRU 2.5 AND 2.7. MOTION CARRIED UNANIMOUSLY.

2.1 MINUTES.

Approved the minutes of the joint City Council/Design Review Board Workshop Meeting of June 24, 2009, the regular City Council Meeting of June 17, 2009 and special City Council meeting of June 17, 2009.

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

Ratified the following registers: Accounts Payable Numbers 68987 through 69031 with the subtotal amount of \$94,503.75; and Payroll Checks 41238 through 41309 for the pay period ending 06/18/09 with the subtotal amount of \$200,999.10; for a total amount of \$295,502.85.

2.3 RESOLUTION NO. 2009-6784 – RATIFYING PROFESSIONAL SERVICES AGREEMENT WITH MARCIA RASKIN FOR INTERIM ASSISTANT CITY MANAGER SERVICES. (0550-05)

Adopted resolution.

2.4 RESOLUTION NO. 2009-6781 – APPROVING A MEMORANDUM OF UNDERSTANDING ON WAGES AND OTHER TERMS AND CONDITIONS BETWEEN THE CITY AND THE IMPERIAL BEACH FIREFIGHTERS' ASSOCIATION (IBFA) AND AMENDING FISCAL YEAR 2009-10 AND FISCAL YEAR 2010-11 BUDGETS. (0540-20)

Adopted resolution.

2.5 RESOLUTION NO. 2009-6783 – APPROVING AGREEMENT FOR PROVISION OF SEWER SERVICES AND PAYMENT FOR SERVICES USING THE SANITARY SEWER SYSTEM – 1185 PALM AVENUE. (0830-95)

Adopted resolution.

2.7 SUPPORT OF TIJUANA RIVER VALLEY OFFSETS AND ENHANCEMENTS. (0460-20)

Authorized the Mayor and City Manager to support efforts to seek and secure Federal Funding for “Offsets” and “Enhancements” in the Tijuana River Valley and Estuary as described in the attachments to the staff report.

ORDINANCES – PUBLIC HEARING/INTRODUCTION/FIRST READING (3)

None.

ORDINANCES – SECOND READING & ADOPTION (4)

None.

PUBLIC HEARINGS (5)

None.

REPORTS (6.1 - 6.5)

6.1 9TH AND PALM REDEVELOPMENT PROJECT. (0640-10)

The following items were submitted as Last Minute Agenda Information:

- a. Letter from Jeff Phair of The Phair Company, received July 14, 2009.
- b. Letter from Jeffrey Rasak of Sterling Development Corporation, received July 14, 2009.

COUNCILMEMBER KING announced that he may have a conflict of interest on this item, he recommended conducting the public hearing this evening and deferring a decision on the item until his potential conflict is resolved.

CITY ATTORNEY LOUGH reported that Councilmember King may have an indirect business interest and, until there is an opinion, Councilmember King is recused on the item.

COUNCILMEMBER KING left Council Chambers at 6:11 p.m.

City Council discussion ensued regarding proceeding with the public hearing.

CITY MANAGER BROWN introduced the item.

REDEVELOPMENT COORDINATOR SELBY gave a PowerPoint presentation on the background on the project, and a summary and evaluation of the proposals.

ALBERT KNECHT, representing the Imperial Beach Chapter of the Community Commission for Better Government, expressed opposition to the redevelopment project at 9th Street and Palm Avenue.

JEFF RASAK, representing Sterling Development Corporation and Imperial Beach Promenade, expressed opposition to staff's recommendation and submitted a conceptual site plan that he had provided for a prior RFQ/P process.

CITY ATTORNEY LOUGH clarified that during the RFQ/P process, materials are not released as to avoid giving an advantage to one bidder over another.

City Council discussion ensued regarding parking standards for the site; concern was raised regarding impacts to the neighborhood immediately adjacent to the project if traffic enters off of Delaware Street; where the request for bids was posted, advertised and sent to; a review of the development process and timeline; a desire for story poles; and positive comments regarding previous developments by Sudberry.

COLTON SADBERRY, of Sudberry properties, stated this project's architectural firm worked on the Village Walk project in Chula Vista; the elevations submitted are high-quality work and although it is understood that there could be changes based on community input, the level of high quality would not change.

HEATHER PERSONNE, of Evergreen Real Estate Development, spoke about Evergreen's retail development experience in Arizona and southern California; and their willingness to work with the Council, staff, and community to bring about a project that appeals to all.

MOTION BY JANNEY, SECOND BY ROSE, TO AUTHORIZE STAFF TO NEGOTIATE A DRAFT EXCLUSIVE NEGOTIATION AGREEMENT WITH SADBERRY DEVELOPMENT INC. FOR AGENCY REVIEW AND DISCUSSION. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	MCCOY, ROSE, BRAGG, JANNEY
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	NONE
DISQUALIFIED:	COUNCILMEMBERS:	KING (DUE TO A POTENTIAL CONFLICT OF INTEREST)

COUNCILMEMBER ROSE stated that she will hold Mr. Sudberry to architectural excellence; commented that it had been made clear by the community that they are interested in commercial development at the site; and she expressed appreciation to the developers for submitting high quality commercial proposals.

COUNCILMEMBER KING returned to Council Chambers at 7:21 p.m.

6.2 RESOLUTION NO. 2009-6782 – AUTHORIZING A PURCHASE ORDER FOR THE DESIGN AND CONSTRUCTION DRAWINGS OF CIVIC CENTER TO VETERANS PARK CROSSWALK. (0750-35)

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS SUPERINTENDENT LAU gave a PowerPoint presentation detailing the design of the crosswalk.

TIM O'NEAL indicated opposition to the item (did not wish to speak).

MOTION BY MCCOY, SECOND BY KING, TO ADOPT RESOLUTION NO. 2009-6782 – AUTHORIZING A PURCHASE ORDER FOR THE DESIGN AND CONSTRUCTION DRAWINGS OF CROSS WALK ON I.B. BOULEVARD BETWEEN CIVIC CENTER AND VETERANS PARK – CIP S09-102. MOTION CARRIED UNANIMOUSLY.

6.3 RESOLUTION NO. R-09-186 – AWARDING CAPITAL IMPROVEMENT PROJECT DESIGN SERVICES TO BDS ENGINEERING TO WIT: SPORTS PARK MASTER PLAN – BALL FIELD IMPROVEMENT PROJECT (P05-401). (0920-40)

CITY MANAGER BROWN introduced the item.

PUBLIC WORKS SUPERINTENDENT LAU gave a PowerPoint showing the redesign of the ball field.

TIM O'NEAL indicated opposition to the project (did not wish to speak).

Discussion ensued regarding consideration of a broadleaf tree to replace the removed trees and bringing the item back after the ball field improvement project has been designed.

In response to concerns raised by some members of Council regarding skate park users needing to raise funds for development of the skate park, whereas other portions of the Sports Park are provided with capital expenditures and other recreational users are not asked to raise funds, MAYOR JANNEY stated the skate park was not part of the original 5-year CIP, funds were already committed; and was added as an additional unfunded project.

CITY MANAGER BROWN stated that a second skate park community workshop is scheduled for August 6, and will return to City Council with the plan and budget.

MOTION BY MCCOY, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. R-09-186 – AWARDING CAPITAL IMPROVEMENT PROJECT DESIGN SERVICES TO BDS ENGINEERING TO WIT: SPORTS PARK MASTER PLAN – BALL FIELD IMPROVEMENT PROJECT (P05-401). MOTION CARRIED UNANIMOUSLY.

6.4 SOUTH SEACOAST DRIVE TIJUANA SLOUGH NWR INTERPRETIVE PANEL LOCATIONS AND ENCROACHMENT PERMIT APPROVAL. (0150-40)

CITY MANAGER BROWN introduced the item.

SANTEL JIMENEZ, of the South Bay Refuge & Tijuana Slough NWR, gave a PowerPoint presentation showing the text and design of the interpretive panels and proposed panel locations; she responded to concerns of City Council regarding working with the installer to ensure placement of panels in ideal locations and avoiding sidewalk areas that have a slope, especially along south Seacoast Drive, and continued maintenance of the panels by U.S. Fish and Wildlife.

MOTION BY JANNEY, SECOND BY MCCOY, TO ISSUE A NO-COST ENCROACHMENT PERMIT FOR THE PURPOSE OF MOUNTING AND DISPLAYING THE INTERPRETIVE PANELS AS SHOWN IN ATTACHMENTS 1 AND 2 OF THE STAFF REPORT AND ISSUE SIGN PERMITS AT NO CHARGE. MOTION CARRIED UNANIMOUSLY.

6.5 DESIGNATION OF VOTING DELEGATE AND ALTERNATE FOR LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE – SEPTEMBER 16-18, 2009. (0140-10)

CITY MANAGER BROWN introduced the item.

MOTION BY KING, SECOND BY ROSE, TO DESIGNATE COUNCILMEMBER BRAGG AS A VOTING DELEGATE AND MAYOR JANNEY AS A VOTING ALTERNATE FOR THE 2009 LEAGUE ANNUAL CONFERENCE AND TO DIRECT STAFF TO COMPLETE AND SUBMIT A VOTING DELEGATE FORM TO THE LEAGUE OFFICE BY FRIDAY, AUGUST 21, 2009. MOTION CARRIED UNANIMOUSLY.

ITEMS PULLED FROM THE CONSENT CALENDAR (IF ANY)

2.6 MARINE LIFE PROTECTION ACT (MLPA) LETTER. (0460-20)

A revision to page 2 of recommended draft MLPA letter (Attachment 4) was submitted as Last Minute Agenda Information.

Discussion ensued regarding community outreach efforts, Marine Protected Area designations, and potential impacts to the affected areas.

MOTION BY MCCOY, SECOND BY KING, TO AUTHORIZE STAFF TO SEND LETTER TO CALIFORNIA NATURAL RESOURCES AGENCY. MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

MAYOR JANNEY adjourned the meeting at 8:11 p.m.

James C. Janney, Mayor

Jacqueline M. Hald, CMC
City Clerk